

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

<b>BPI ENERGY, INC.,</b>	)	
	)	
Plaintiff,	)	
	)	
V.	)	Civil No. <b>07-186-DRH</b>
	)	
<b>IEC (MONTGOMERY), LLC, et al.,</b>	)	
	)	
Defendants.	)	

**ORDER**

**PROUD, Magistrate Judge:**

Before the Court is plaintiff BPI Energy's motion for leave to file a second amended complaint to address standing and pleading deficiencies raised by the defendants and the Court, and to add claims. (**Doc. 26**). No objection has been lodged.

**IT IS THEREFORE ORDERED** that plaintiff's motion to file a second amended complaint (**Doc. 26**) is **GRANTED**. Plaintiff shall file its second amended complaint on or before **July 27, 2007**.

**IT IS FURTHER ORDERED** that the following motions are rendered moot:

1. The defendants' motion to dismiss plaintiff's amended complaint (**Doc. 23**); and
2. Plaintiff's motion for an extension of time to respond to defendants' motion to dismiss (**Doc. 27**).

**IT IS SO ORDERED.**

**DATED: July 17, 2007**

s/ Clifford J. Proud  
**CLIFFORD J. PROUD**  
**U. S. MAGISTRATE JUDGE**